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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,831	10/29/2003	Satoshi Shahana	SIC-03-040	2830

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EXAMINER	
JOHNSON, VICKY A	

ART UNIT	PAPER NUMBER
3682	

DATE MAILED: 01/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/605,831	SHAHANA ET AL.	
	Examiner	Art Unit	
	Vicky A. Johnson	3682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 November 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-38 are rejected under 35 U.S.C. 102(b) as being anticipated by Clark (US 4,215,872).

Clark discloses a derailleur adapted to be mounted to a bicycle frame, wherein the derailleur comprises: a bracket (54, 68, 74, 24) adapted to be mounted to the frame; a base member (64) supported by the bracket; a chain guide (38) which moves laterally relative to the base member (see Fig 3); a coupling mechanism (66) coupled between the base member and the chain guide so that the chain guide moves relative to the base member (col. 4 lines 30-50); and wherein the base member is supported at first and second lateral locations (see Fig 2), and wherein the bracket supports at least one of the first and second lateral locations of the base member (see Fig 2).

Re claims 2-6 and 10, 12, 13, the first and second lateral locations of the base member are opposite to each other (see Fig 2).

Re claim 9, a tubular reinforcing member (24, member completely surrounds the shaft and is therefore tubular (very broad)) disposed around the mounting shaft, wherein the tubular reinforcing member has a first end face that faces the first

mounting portion of the bracket and a second end face that faces the second mounting portion of the bracket.

Re claims 14 and 15, the bracket is adapted to be mounted by a fastener (30) to the frame.

Re claim 16, a turnstop (74) projection.

Re claim 17, a link mechanism (66).

Re claim 18, the shift cable assembly (see Fig 3).

Re claim 23, comprising a rotation restriction mechanism (62) that restricts rotation of the base member in the other one of the clockwise and counterclockwise directions.

Re claim 26, a mounting shaft (56).

Re claim 28, the first upper mounting portion includes an opening structured to receive a wheel hub axle (20).

Re claim 29, the first upper mounting portion includes an opening structured to receive a fastener for attaching the first bracket body to the rear dropout portion of the bicycle frame at a location offset from a wheel hub axle (see Fig 2).

Re claim 30, the first upper mounting portion is laterally offset from the first lower mounting portion (see Fig 2).

Re claim 31 a second bracket body, wherein the second bracket body comprises: a second upper mounting portion structured to attach to the rear dropout portion of the bicycle frame; and a second lower mounting portion structured to extend over a second

lateral side location of the rear derailleur when the second upper mounting portion is attached to the rear dropout portion.

Re claim 32 the first bracket body is separate from the second bracket body (see Fig 2).

Re claim 38, the first upper mounting portion faces the second upper mounting portion, and wherein the first lower mounting portion faces the second lower mounting portion (see Fig 2).

Response to Arguments

Some further comments regarding the applicant's remarks are deemed appropriate.

The applicant argues that the Clark reference fails to meet the limitations of the claims because the reference fails to disclose the chain guide moving laterally relative to the base member. Figure 3 shows the chain guide (38) moving laterally relative to the base member (64), and therefore meets the limitations of the claims.

The applicant's remarks have been accorded due consideration, however, they are not deemed fully persuasive.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vicky A. Johnson whose telephone number is (571) 272-7106. The examiner can normally be reached on Monday-Friday (7:00a-3:30p).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6217. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Vicky A. Johnson
Primary Examiner
Art Unit 3682

1/18/06